

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JOEL MURRAY,

Plaintiff,

vs

9:08-CV-809

\*DR. RAMINENI, Medical Director; \*A.  
FERGUSON, N.P.; \*DR. MANNAVA, M.D.;  
\*PICENTE, Correction Counselor; STATE  
OF NEW YORK DEPARTMENT OF  
CORRECTIONAL SERVICES; \*NURSE  
HOWARD; \*WILLIAMS, Nurse; A. PAOLANO,  
Dr., Great Meadow Correctional Facility; and  
\*J. HARRIS, Nurse Administrator, \*All of  
Mid-State Correctional Facility,

Defendants.

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APPEARANCES:

JOEL MURRAY

Plaintiff, Pro Se

00-A-1884

Elmira Correctional Facility

PO Box 500

Elmira, New York 14902

HON. ERIC T. SCHNEIDERMAN

Attorney General of the

State of New York

Attorney for Defendants

Department of Law

The Capitol

Albany, New York 12224

DEAN J. HIGGINS, ESQ.

Asst. Attorney General

DAVID N. HURD

United States District Judge

**DECISION and ORDER**

Plaintiff, Joel Murray, commenced this civil rights action in July 2008, pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated March 3, 2011, the Honorable David R.

Homer, United States Magistrate Judge, recommended that defendants' motion for summary judgment (Dkt. 57) be granted as to all federal claims and all defendants; that Murray's state law claims be dismissed without prejudice; and that this action be terminated. (Docket No. 71). The plaintiff has filed objections to the Report-Recommendation. (Docket No. 72).

Based upon a de novo review of the entire file, including the portions of the Report-Recommendation to which plaintiff has objected, and the recommendations of Magistrate Judge Homer, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. 636(b)(1).

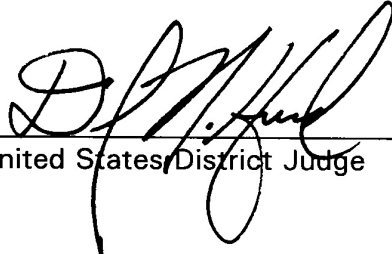
Accordingly, it is

ORDERED that

1. Defendants' motion for summary judgment (Dkt. 57) is GRANTED;
2. The plaintiff's federal law claims are DISMISSED with prejudice;
3. The plaintiff's state law claims are DISMISSED without prejudice; and
4. The Clerk is directed to file judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: April 1, 2011  
Utica, New York.

  
United States District Judge